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TN REGULATORY AUTHORITY  
DOCKET ROOM

March 19, 2004

**VIA HAND DELIVERY**

Ms. Deborah Taylor Tate, Chairman  
TENNESSEE REGULATORY AUTHORITY  
460 James Robertson Parkway  
Nashville, Tennessee 37243

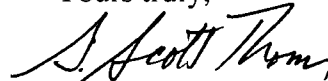
**Re: *Petition of Tennessee Wastewater Systems, Inc. to Amend its Certificate of Convenience and Necessity, Docket No. 04-00045***

Dear Chairman Tate:

Enclosed for filing in the above-referenced docket are the original and thirteen copies of the Petition to Intervene and Motion to Continue by the City of Pigeon Forge, Tennessee.

Should you have any questions with respect to this filing, please do not hesitate to contact me at the number shown above. Thank you in advance for your assistance with this matter.

Yours truly,



G Scott Thomas

GST/rk  
Enclosure

cc Jim Gass, Esq (w/enclosure)  
Ms. Sharla Dillon (w/enclosure)

**IN THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

<b>IN RE:</b>	)	
	)	
<b>PETITION OF TENNESSEE WASTEWATER</b>	)	<b>DOCKET NO. 04-00045</b>
<b>SYSTEMS, INC. TO AMEND ITS CERTIFICATE</b>	)	
<b>OF CONVENIENCE AND NECESSITY</b>	)	

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**PETITION TO INTERVENE AND MOTION TO CONTINUE**

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The City of Pigeon Forge (the “City”), by and through counsel, petitions the Tennessee Regulatory Authority (“TRA”), pursuant to Tennessee Code Annotated Sections 65-2-107 and 4-5-310 and Tennessee Rules and Regulations Chapters 1220-1-1 and 1220-1-2, to allow the City to intervene and be heard in opposition to Tennessee Wastewater Systems, Inc.’s (“Tennessee Wastewater”) Petition To Amend Its Certificate of Convenience and Necessity to include certain areas within Sevier County including areas within the established urban growth boundaries of Pigeon Forge.

1. The City is a municipality located within Sevier County, Tennessee, providing water service, as well as, wastewater treatment service to its residents.

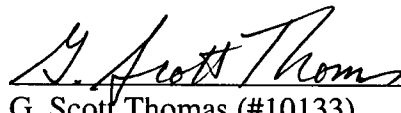
2. Because the Petition of Tennessee Wastewater seeks to include an extension into the urban growth boundaries of the City, the activities contemplated by Tennessee Wastewater pursuant to the Petition could have a materially adverse impact on the City’s ability to provide wastewater service, and under certain circumstances, result in undue financial burdens upon the City in its provision of wastewater services within the City and as the City may expand in the future.

3. Based on best information and belief, the City did not receive the notice of the March 22, 2004 hearing regarding the Petition until March 16, which receipt was past the deadline set forth in said Notice for moving to intervene. The City respectfully requests that the TRA extend such deadline and accept this Petition to Intervene due to the short time the City was given to react and prepare for the hearing on the Petition.

4. In addition, because of the late receipt of notice and the absence since receipt of the notice of the hearing and of key City personnel needed to prepare for and participate in the hearing, March 22, the City respectfully move that the TRA continue the hearing and convene a contested case on this matter at a later date in order to afford the City an opportunity to fully evaluate the impacts proposed by the Petition, and adequately prepare to participate in the hearing before the TRA on the merits of the Petition.

WHEREFORE, the City of Pigeon Forge prays that the TRA grant its Petition to Intervene and Motion to Continue, and that the City be made a party to this cause and be heard at the hearing set forth for Monday, March 22, at 1:00 p.m.

Respectfully submitted this 19<sup>th</sup> day of March, 2004.

  
G. Scott Thomas (#10133)  
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(615) 742-6243

Attorney for Petitioner,  
City of Pigeon Forge

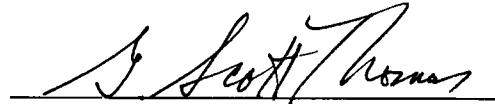
CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document has been served upon the following persons by hand delivery or by United States Mail, with proper postage thereon.

Tennessee Wastewater Systems, Inc.  
7638 River Road Pike  
Nashville, Tennessee 37209

Mark Jendrek, Esq,  
800 South Gay Street  
Suite 1910  
Knoxville, TN 37929

This 19<sup>th</sup> day of March, 2004

A handwritten signature in cursive script, appearing to read "G. Scott Thomas", written over a horizontal line.

G. Scott Thomas